

**REMARKS**

Applicants thank Examiner Chen for the telephone interview granted April 1, 2004 and for his thoughtful consideration of this case. This Application has been carefully reviewed in light of the Office Action mailed December 4, 2003. To clarify various aspects of inventive subject matter, Applicants amend Claims 1, 8, 16, 17, 24, and 25. Applicants submit that all of the pending claims are allowable over the cited references. Applicants respectfully request reconsideration, further examination, and favorable action in this case.

**Objection to Claim 16**

The Examiner objects to Claim 16 because of various informalities. Applicants have amended Claim 16 to address the informalities identified by the Examiner. Applicants respectfully request reconsideration and favorable action in this case.

**Interview Summary**

Applicants' attorney conducted a telephonic interview with Examiner Chen on April 1, 2004. Pursuant to M.P.E.P. §713.04, Applicants submit this summary of the telephonic interview to record Applicants' understanding of the substance of the interview. If Applicants' understanding is inaccurate, notice of such is appreciated.

During the interview, Applicants and the Examiner discussed the distinctions between the cited references and amended independent Claims 1, 8, 17, 24, and 25. Applicants understand that Claims 1, 8, 16, 17, 24, and 25, and all claims depending therefrom are allowable over the cited references.

**Claim Rejections Pursuant to 35 U.S.C. § 102**

The Examiner rejects Claim 17 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,260,362 issued to Matthews ("*Matthews*"). Applicants respectfully traverse this claim rejection for the reasons discussed below.

As discussed during the interview, amended independent Claim 17 recites "after failing to receive at least the threshold voltage, reverse biasing at least one diode coupled between the power supply and the at least one capacitor." In addition, amended Claim 17 recites "detecting the reverse bias state of the diode at a power loss sensor coupled in parallel

to the at least one diode." As discussed during the interview, *Matthews* contains no teaching or suggestion of at least these elements. For at least this reason, Applicant respectfully requests withdrawal of the rejection and favorable action with respect to all pending claims.

**Claim Rejections Pursuant to 35 U.S.C. § 103**

The Examiner rejects Claims 2-3, 8-10, and 18-19 under 35 U.S.C. § 103(a) as being unpatentable over *Matthews* as applied to Claim 17 above, and further in view of U.S. Patent No. 4,227,141 issued to Cross ("*Cross*"). Claims 4, 6, 11, 13, and 20-21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Matthews* as applied to Claim 17 above, and further in view of U.S. Patent No. 4,467,748 issued to Watanabe ("*Watanabe*"). Claims 7, 14, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Watanabe* and *Matthews* as applied to Claim 21 above, and further in view of U.S. Patent No. 6,259,285 issued to Woods ("*Woods*"). The Examiner also rejects Claims 1, 16, and 23 under 35 U.S.C. § 103(a) as being unpatentable over *Matthews* as applied to Claim 17 above, and further in view of U.S. Patent No. 4,385,384 issued to Rosbury et al. ("*Rosbury*"). Claims 5 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Matthews*. Claim 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Watanabe*. The Examiner further rejects Claim 24 under 35 U.S.C. § 103(a) as being unpatentable over *Watanabe*, *Cross*, *Matthews*, *Woods*, and *Rosbury*. Finally, the Examiner rejects Claim 25 under 35 U.S.C. § 103(a) as being unpatentable over *Watanabe*, *Cross*, *Matthews*, and *Rosbury*. Applicants respectfully traverse these claim rejections for the reasons discussed below.

**a. Amended Claim 1 is patentable over all cited references**

As discussed during the interview, amended independent Claim 1 recites "a power loss sensor coupled in parallel with the diode and in series with the communication circuitry, the power loss sensor operable to detect a reverse bias state of the diode and to signal the communication circuitry to communicate a power loss signal over the communication link, the reverse bias state of the diode indicating that the power supply has failed to supply the at least the threshold voltage to the modem." As discussed during the interview, *Matthews* and *Rosbury* contain no teaching or suggestion of at least these elements. For at least this reason, Applicant respectfully requests withdrawal of the rejection and favorable action with respect to all pending claims.

**b. Amended Claim 8 is patentable over all cited references**

As discussed during the interview, amended independent Claim 8 recites "a power loss sensor coupled in parallel with the diode, the power loss sensor operable to detect a reverse bias state of the diode and to signal the apparatus to communicate a power loss signal to an external device, the reverse bias state of the diode indicating that the power supply has failed to supply the at least the threshold voltage to the apparatus." As discussed during the interview, *Matthews* and *Cross* contain no teaching or suggestion of at least these elements. For at least this reason, Applicant respectfully requests withdrawal of the rejection and favorable action with respect to all pending claims.

**c. Amended Claim 24 is patentable over all cited references**

As discussed during the interview, amended independent Claim 24 recites "a power loss sensor coupled in parallel with the diode and in series with the communication circuitry, the power loss sensor operable to detect a reverse bias state of the diode and to signal the communication circuitry to communicate a power loss signal over the communication link, the reverse bias state of the diode indicating that the power supply has failed to supply the at least the threshold voltage to the modem." As discussed during the interview, *Matthews*, *Watanabe*, *Cross*, *Woods*, and *Rosbury* contain no teaching or suggestion of at least these elements. For at least this reason, Applicant respectfully requests withdrawal of the rejection and favorable action with respect to all pending claims.

**d. Amended Claim 25 is patentable over all cited references**

As discussed during the interview, amended independent Claim 25 recites "after failing to receive at least the threshold voltage, reverse biasing at least one diode coupled between the power supply and the at least one capacitor." In addition, amended Claim 25 recites "detecting the reverse bias state of the diode using a power loss sensor coupled in parallel to the at least one diode and in series with the communication circuitry." As discussed during the interview, *Matthews*, *Watanabe*, *Cross*, and *Rosbury* contain no teaching or suggestion of at least these elements. For at least this reason, Applicant respectfully requests withdrawal of the rejection and favorable action with respect to all pending claims.

**Conclusion**


Applicants have made an earnest attempt to place this case in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request full allowance of all pending Claims.

Applicants have included a check for \$110.00 to cover the fee for a one-month extension of time. Applicants believe that no other fees are due, however, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

If the Examiner feels that a conference would advance prosecution of this Application in any manner, Douglas M. Kubehl stands willing to conduct such a telephone interview at the convenience of the Examiner. Mr. Kubehl may be reached at 214-953-6486.

Respectfully submitted,

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